



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

ERIC T. SCHNEIDERMAN  
ATTORNEY GENERAL

DIVISION OF STATE COUNSEL  
LITIGATION BUREAU

October 25, 2016

VIA CM/ECF

Leo Glickman  
Stoll, Glickman & Bellina LLP  
Counsel for Plaintiff  
475 Atlantic Avenue  
3<sup>rd</sup> Floor  
Brooklyn, NY 11217

Re: *Burks v. Stickney et al.*,  
NDNY 16-CV-00759 (FJS/DEP)

Dear Mr. Glickman:

Enclosed please find a Notice to take the deposition of your client in the above-reference matter on December 14, 2016 at 10 a.m. at Elmira Correctional Facility.

Our deadline to confer to address the items in the Case Management Plan packet is this Thursday, October 27<sup>th</sup>, and to file a completed Case Management Plan is November 10<sup>th</sup>. Please phone me at your earliest opportunity to discuss. If the date we have noticed to conduct your client's deposition is not suitable, we can discuss an alternative date at that time.

I look forward to hearing from you.

Sincerely,

*/Denise P. Buckley*  
Denise P. Buckley  
Assistant Attorney General

Encl.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

MATTIEU BURKS,

*Plaintiff,*

-against-

**NOTICE OF  
DEPOSITION**

CORRECTION OFFICER CHAD STICKNEY;  
CORRECTION OFFICER NOLAN; CORRECTION  
OFFICER SMITH; CORRECTION OFFICER PEPPER;  
SERGEANT J. CROSS; JOHN DOE "E" BLOCK  
SERGEANT; SUPERINTENDENT STEVEN RACETTE,  
SUPERINTENDENT MICHAEL KIRKPATRICK, JOHN  
DOE SUPERVISOR IN CHARGE OF SECURITY #1,  
JOHN DOE CORRECTION OFFICERS #1-25,

16-CV-0759

FJS/DEP

*Defendants.*

PLEASE TAKE NOTICE that on the 14<sup>th</sup> day of December, 2016 at 10:00 a.m., Defendants, Chad Stickney, Darwin Nolan, Donald Smith, Jr., Edward Pepper, John Cross, Steven Racette, and Michael Kirkpatrick will take the deposition of Mattieu Burks (14-A-5477) upon oral examination pursuant to the Federal Rules of Civil Procedure, before a notary public or before some other officer authorized by law to administer oaths, at Elmira Correctional Facility, or other facility deemed appropriate by the New York State Department of Corrections and Community Supervision. The oral examination will continue from day to day or at an adjourned date thereafter, until completed.

PLEASE TAKE FURTHER NOTICE that the deponent will be required to produce at the deposition all documents relating to the allegations in the complaint.

Dated: Albany, New York  
October 25, 2016

ERIC T. SCHNEIDERMAN  
Attorney General of the State of New York  
Attorney for Defendants Chad Stickney, Darwin  
Nolan, Donald Smith, Jr., Edward Pepper, John  
Cross, Steven Racette, and Michael Kirkpatrick

The Capitol  
Albany, New York

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